

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 1198 of 1999

Between:

M/s.HMT Limited, Lamps Unit, Hyderabad

Represented by its General Technical Manager (L)

..... PETITIONER

AND

1. The Hon'ble Labour Court-III

rep.by its Presiding Officer

4th Floor, Chandra Vihar, M.J.Road, Hyderabad

2. Shri Chand Pasha

S/o.A.Mohd.Jaffar

R/o.H.No.25, Bhaskar Nagar

Kurnool 518 001.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue notice, call for records and quash and set aside the impugned order dt.8.9.98 made in I.D.No.811/93 on the file of Hon'ble Labour Court-III, Hyderabad by issuing a Writ of Certiorari or any other appropriate writ or order or direction as the Hon'ble Court may deem fit and proper in the circumstances of the case and to grant such

other relief to which the petitioner is entitled to and to allow the Writ Petition with costs.

Counsel for the Petitioner : MR.P.NAGESWAR SREE

Counsel for Respondent No.1: GP FOR LABOUR

Counsel for Respondent No.2 : Mr.A.K.JAYAPRAKASH RAO

The Court made the following :

ORDER:

This Writ Petition is filed questioning the Order dated 08.09.1998 passed by the Labour Court III, Hyderabad in I.D.No.811 of 1993, wherein while looking into the primary issue as to the validity of the domestic enquiry, conducted by the management, the Labour Court held that the domestic enquiry conducted by the management is invalid and the management was directed to adduce the evidence to prove the charges levelled against the petitioner.

The issue raised in this Writ Petition is squarely covered by the Judgment in **ASST.GM (Admn.), M/s.HEL v. CHAIRMAN, HON'BLE ADDL.IT-CUM-ADDL.LC.** In the light of the same, the Writ Petition is dismissed and the Labour Court is directed to proceed further in the matter by giving opportunity to the management as well as the workman to lead the evidence and decide the same on merits within a period of six months from the date of receipt of a copy of this Order. No costs.

(C.V.RAMULU, J)

Dt: 15.07.2005

bsv/lvl

To

1. The Presiding Officer, Labour Court-III,
4th Floor, Chandra Vihar, M.J.Road, Hyderabad
2. Two CCs to the Government Pleader for Labour, High Court of A.P.,
Hyderabad (OUT)
3. Two CD copies